

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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KEITH C. TOLBERT,	:	
Plaintiff,	:	
	:	
v.	:	No. 2:22-cv-1182
	:	
CORRECTIONAL OFFICER BALDWIN,	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 9<sup>th</sup> day of May, 2025, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT**:

1. The Motion in Limine, ECF No. 218, is **GRANTED**. This Court will give the jury an adverse inference instruction regarding spoliation of video evidence.
2. **No later than Monday, May 12, 2025, at 9:00 A.M.**, counsel SHALL jointly submit a proposed adverse inference jury instruction.<sup>1</sup>

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge

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<sup>1</sup> Only if, after an exhaustive good faith attempt, counsel are unable to agree upon a proposed instruction may they separately submit a proposed instruction that identifies which part(s) of the instruction is in dispute.